

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
BIG STONE GAP DIVISION**

UNITED STATES OF AMERICA

v.

RICHARD A. ORR,

Defendant.

)
)
) Case No. 2:00CR10067
)

) **ORDER**
)

) By: James P. Jones
) United States District Judge
)

For the reasons set forth in the Opinion accompanying this Final Order, it is ORDERED that the defendant's "MOTION FOR JUDICIAL RELIEF NEW DISCOVERY PURSUANT TO FEDERAL RULE 60(B)(6)," which the court construes as a Motion to Vacate, Set Aside or Correct Sentence, pursuant to 28 U.S.C.A. § 2255, is DENIED without prejudice as successive. Based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is DENIED.

ENTER: March 23, 2012

/s/ James P. Jones

United States District Judge